

[All counsel listed on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CARTER, et al.,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, et al.,

Defendants.

Case No. 3:23-cv-06325-RS

**JOINT STIPULATION AND
[PROPOSED] ORDER RE EXTENSION
OF CASE DEADLINES IN LIGHT OF
SETTLEMENT**

Pursuant to Northern District of California Civil Local Rule 7-12, Plaintiffs in the above-captioned action and Defendants National Collegiate Athletic Association (“NCAA”), Pac-12 Conference (“Pac-12”), Big Ten Conference, Inc. (“Big Ten”), Big 12 Conference, Inc. (“Big 12”), Southeastern Conference (“SEC”), and Atlantic Coast Conference (“ACC”) (collectively, “Defendants”) (Plaintiffs and each Defendant is referred to herein as a “Party” and all Defendants together with Plaintiffs, the “Parties”), by and through their respective undersigned counsel of record, submit the following Stipulation and Proposed Order:

WHEREAS, Plaintiffs filed the Complaint in this case on December 7, 2023 (ECF No. 1);

WHEREAS, before Plaintiffs filed the Complaint, plaintiffs in a related putative antitrust class action—*Alex Fontenot v. NCAA, et al.*, Case No. 1:23-cv-03076 (D. Colo.)—filed a complaint on November 20, 2023;

WHEREAS, the defendants in *Fontenot* filed a motion to transfer *Fontenot* to the Northern District of California on April 19, 2024 (ECF No. 90);

WHEREAS, this Court approved the Parties’ Stipulation and Order to Extend Defendants’ Deadline to Respond to the Complaint on May 3, 2024 and, pursuant to that Stipulation, Defendants are required to file their response to the Complaint within five (5) business days after the *Fontenot* Court’s ruling on the motion to transfer (ECF No. 98);

WHEREAS, the *Fontenot* Court issued an order denying the motion to transfer on May 23, 2024 (ECF No. 103);

WHEREAS, the Parties have agreed to the principal terms on which the Parties will settle *In re College Athlete NIL Litigation*, Case No. 4:20-cv-03919 CW (N.D. Cal.), *Hubbard et al. v. National Collegiate Athletic Association et al.*, Case No. 23-cv-01593 (N.D. Cal.), and *Carter et al. v. National Collegiate Athletic Association et al.*, Case No. 3:23-cv-06325-RS (N.D. Cal.);

WHEREAS, the terms of the settlement were jointly agreed to after arms-length negotiations;

WHEREAS, the Parties are working expeditiously and in good faith to finalize the long-form settlement agreement, and anticipate that a motion for preliminary approval of the settlement will be filed on or before thirty (30) days from the date of this stipulation, but in any event no later than forty-five (45) days from the date of this stipulation;

WHEREAS, in furtherance of the settlement, and to conserve judicial and party resources, the Parties agree, and request that the Court order that the deadline for Defendants' response to the Complaint be extended by 60 days, to July 30, 2024.

THEREFORE, IT IS STIPULATED AND AGREED, SUBJECT TO COURT APPROVAL, THAT:

1. Defendants' deadline for filing a response to the Complaint is hereby extended by 60 days, to July 30, 2024.

Dated: May 30, 2024

Respectfully Submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

WINSTON & STRAWN LLP

By: /s/ Benjamin J. Siegel

By: /s/ Jeffrey L. Kessler

Benjamin J. Siegel (SBN 256260)
715 Hearst Avenue, Suite 300
Berkeley, CA 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
bens@hbsslaw.com

Jeffrey L. Kessler (*pro hac vice*)
David G. Feher (*pro hac vice*)
David L. Greenspan (*pro hac vice*)
Adam I. Dale (*pro hac vice*)
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-4698
Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dgreenspan@winston.com
aidale@winston.com

Emilee N. Sisco (*pro hac vice*)
Stephanie Verdoia (*pro hac vice*)
1301 Second Avenue, Suite 2000
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
emilees@hbsslaw.com
stephaniev@hbsslaw.com

Jeanifer E. Parsigian (SBN 289001)
101 California Street, 34th Floor
San Francisco, CA 94111
Telephone: (415) 591-1000
Facsimile: (415) 591-1400
jparsigian@winston.com

Jeffrey L. Kodroff
SPECTOR ROSEMAN & KODROFF PC
Two Commerce Square
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496 0300
Facsimile: (215) 496 6611
jkodroff@srkattorneys.com

Counsel for Plaintiffs and the Proposed Classes

Counsel for Plaintiffs and the Proposed Classes

WILKINSON STEKLOFF LLPBy: /s/ Rakesh N. Kilaru

Rakesh N. Kilaru (*pro hac vice*)
 Calanthe Arat (SBN 349086)
 Tamarra Matthews Johnson (*pro hac vice*)
 2001 M Street NW, 10th Floor
 Washington, DC 20036
 Telephone: (202) 847-4000
 Facsimile: (202) 847-4005
 rkilaru@wilkinsonstekloff.com
 carat@wilkinsonstekloff.com
 tmatthewsjohnson@wilkinsonstekloff.com

Jacob K. Danziger (SBN 278219)

ARENTFOX SCHIFF LLP

44 Montgomery Street, 38th Floor
 San Francisco, CA 94104
 Telephone: (734) 222-1516
 Facsimile: (415) 757-5501
 jacob.danziger@afslaw.com

*Counsel for Defendant National Collegiate
 Athletic Association*

MAYER BROWN LLPBy: /s/ Britt M. Miller

Britt M. Miller (*pro hac vice*)
 Daniel T. Fenske (*pro hac vice*)
 71 South Wacker Drive
 Chicago, IL 60606
 Telephone: (312) 782-0600
 Facsimile: (312) 701-7711
 bmiller@mayerbrown.com
 dfenske@mayerbrown.com

Christopher J. Kelly (SBN 276312)
 Two Palo Alto Square, Suite 300
 3000 El Camino Real
 Palo Alto, CA 94306
 Telephone: (650) 331-2000
 Facsimile: (650) 331-2060
 cjkelley@mayerbrown.com

*Counsel for Defendant The Big Ten Conference,
 Inc.*

LATHAM & WATKINS LLPBy: /s/ Christopher S. Yates

Christopher S. Yates (SBN 161273)
 Aaron T. Chiu (SBN 287788)
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: (415) 391-0600
 Facsimile: (415) 395-8095
 chris.yates@lw.com
 aaron.chiu@lw.com

Anna M. Rathbun (SBN 273787)
 555 Eleventh Street, NW, Suite 1000
 Washington, DC 20004
 Telephone: (202) 637-1061
 Facsimile: (202) 637-2201
 anna.rathbun@lw.com

*Counsel for Defendant Atlantic Coast
 Conference*

COOLEY LLPBy: /s/ Whitty Somvichian

Whitty Somvichian (SBN 194463)
 Kathleen R. Hartnett (SBN 314267)
 Ashley Kemper Corkery (SBN 301380)
 3 Embarcadero Center, 20th Floor
 San Francisco, California 94111-4004
 Telephone: (415) 693 2000
 Facsimile: (415) 693 2222
 wsomvichian@cooley.com
 khartnett@cooley.com
 acorkery@cooley.com

Mark Lambert (SBN 197410)
 3175 Hanover Street
 Palo Alto, CA 94304-1130
 Telephone: (650) 843-5000
 Facsimile: (650) 849-7400
 mlambert@cooley.com

Rebecca Tarneja (SBN 293461)
 355 S. Grand Avenue, Suite 900

Los Angeles, California 90071-3105
Telephone: (213) 561-3225
Facsimile: (213) 561-3250
rtarneja@cooley.com

Counsel for Defendant Pac-12 Conference

SIDLEY AUSTIN LLP

By: /s/ Angela C. Zambrano
Angela C. Zambrano (*pro hac vice*)
Natali Wyson (*pro hac vice*)
Chelsea A. Priest (*pro hac vice*)
2021 McKinney Avenue, Suite 2000
Dallas, TX 75201
Telephone: (214) 969-3529
Facsimile: (214) 969-3558
angela.zambrano@sidley.com
nwyson@sidley.com
cpriest@sidley.com

David L. Anderson (SBN 149604)
555 California Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7412
dlanderson@sidley.com

*Counsel for Defendant The Big 12 Conference,
Inc.*

ROBINSON BRADSHAW & HINSON, P.A.

By: /s/ Robert W. Fuller
Robert W. Fuller, III (*pro hac vice*)
Lawrence C. Moore, III (*pro hac vice*)
Amanda P. Nitto (*pro hac vice*)
Travis S. Hinman (*pro hac vice*)
101 N. Tryon Street, Suite 1900
Charlotte, NC 28246
Telephone: (704) 377-2536
Facsimile: (704) 378-4000
rfuller@robinsonbradshaw.com
lmoore@robinsonbradshaw.com
anitto@robinsonbradshaw.com
thinman@robinsonbradshaw.com

Mark J. Seifert (SBN 217054)
SEIFERT ZUROMSKI LLP
One Market Street, 36th Floor
San Francisco, CA 94105
Telephone: (415) 999-0901
Facsimile: (415) 901-1123
mseifert@SZLLP.com

*Counsel for Defendant Southeastern
Conference*

E-FILING ATTESTATION

I, Steve W. Berman, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Benjamin J. Siegel
BENJAMIN J. SIEGEL (SBN 256260)

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

THE HON. RICHARD SEEBORG
United States Chief District Judge